

United States v. Kennebec Scrap Iron, Inc.

Complaint – Appendix 2

Appendix 2: Oakland - Fourth Claim For Relief**Quarterly Visual Monitoring - Northern Outfall**

	<u>Year</u>	<u>Quarter</u>	<u>Failed to Conduct</u>	<u>Failed to Properly Conduct Quarterly Visual Monitoring</u> (Reason stated below)	<u>Kennebec Scrap Iron, Inc.</u>
					Admit, Deny, or Lacks Knowledge or Information
a.	2009	Q4		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
b.	2010	Q1		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
c.	2010	Q2		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
d.	2010	Q3		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
e.	2010	Q4		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
f.	2011	Q1		✓ - Monitoring observations not representative of distinct outfalls.	
g.	2011	Q2	✓		
h.	2011	Q3		✓ - Not a QSE.	
i.	2011	Q4	✓		
j.	2012	Q1		✓ - Form states no monitoring conducted due to lack of rain in quarter.	
k.	2012	Q2	✓		
l.	2012	Q3		✓ - Form states no monitoring conducted due to lack of rain in quarter.	
m.	2012	Q4		✓ - Not a QSE.	
n.	2013	Q1		✓ - Not a QSE.	
o.	2013	Q2	✓		
p.	2013	Q3	✓		

*Through 2011 Q2, "QSE" means a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 in rainfall) storm event.

**After 2011 Q2, "QSE" stands for a qualifying storm event; which means a storm event that is either precipitation, ice or snow melt that produces a measurable discharge at an outfall that occurs at least 72 hours from a previous measurable storm event.

***"Not a QSE" means although Defendants' monitoring forms indicate monitoring was conducted after a qualifying storm event; it was not.

Appendix 2: Oakland - Fourth Claim For Relief**Quarterly Visual Monitoring - Driveway Outfall**

	<u>Year</u>	<u>Quarter</u>	<u>Failed to Conduct</u>	<u>Failed to Properly Conduct Quarterly Visual Monitoring</u> (Reason stated below)	<u>Kennebec Scrap Iron, Inc.</u>
					Admit, Deny, or Lacks Knowledge or Information
a.	2009	Q4		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
b.	2010	Q1		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
c.	2010	Q2		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
d.	2010	Q3		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
e.	2010	Q4		✓ - Not a QSE. Monitoring observations not representative of distinct outfalls.	
f.	2011	Q1		✓ - Monitoring observations not representative of distinct outfalls.	
g.	2011	Q2	✓		
h.	2011	Q3		✓ - Not a QSE.	
i.	2011	Q4	✓		
j.	2012	Q1		✓ - Form states no monitoring conducted due to lack of rain in quarter.	
k.	2012	Q2	✓		
l.	2012	Q3		✓ - Form states no monitoring conducted due to lack of rain in quarter.	
m.	2012	Q4		✓ - Not a QSE.	
n.	2013	Q1		✓ - Not a QSE.	
o.	2013	Q2	✓		
p.	2013	Q3	✓		

*Through 2011 Q2, "QSE" means a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 in rainfall) storm event.

**After 2011 Q2, "QSE" stands for a qualifying storm event; which means a storm event that is either precipitation, ice or snow melt that produces a measurable discharge at an outfall that occurs at least 72 hours from a previous measurable storm event.

***"Not a QSE" means although Defendants' monitoring forms indicate monitoring was conducted after a qualifying storm event; it was not.